

**Exhibit 39**

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KING COUNTY  
SUPERIOR COURT

The Honorable Suzanne Parisien  
Hearing Date: February 24, 2017  
Time: 9:00 a.m.  
WITHOUT ORAL ARGUMENT

STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

JOHNSON & JOHNSON, a New Jersey Corporation; ETHICON, INC., a New Jersey Corporation, a wholly owned subsidiary of JOHNSON & JOHNSON; ETHICON US, LLC, a New Jersey Company, a wholly owned subsidiary of JOHNSON & JOHNSON; and DOES 1 through 100, inclusive,

Defendants.

NO. 16-2-12186-1 SEA

SRP

[PROPOSED] ORDER GRANTING PLAINTIFF STATE OF WASHINGTON'S MOTION FOR PROTECTIVE ORDER

(Clerk's Action Required)

THIS MATTER, having come before the Court on Plaintiff's Motion to limit the party plaintiff to the Consumer Protection Division of the Washington State Attorney General's Office, and the Court having reviewed the foregoing Motion, responses, if any, and being familiar with the records and files herein, the Court hereby enters the following **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. Defendants' definitions of "You" and "Your" as defined in their discovery requests is overly broad and unduly burdensome.

2. Defendants are not entitled to obtain party discovery from non-party state agencies.

[PROPOSED] ORDER GRANTING PLAINTIFF STATE OF WASHINGTON'S MOTION FOR PROTECTIVE ORDER - 1

ATTORNEY GENERAL OF WASHINGTON  
Consumer Protection Division  
800 Fifth Avenue, Suite 2000  
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1       3. CR 26(c) gives superior courts the authority to enter protective orders "to  
2 protect a party or person from annoyance, embarrassment, oppression, or undue burden or  
3 expense."

4        4. Washington state agencies and departments other than the Consumer Protection  
5        Division of the Washington State Attorney General's Office are separate entities, are not  
6        parties to this litigation, and are not subject to party discovery under CR 33 and 34.

Having entered the above FINDINGS OF FACT AND CONCLUSIONS OF LAW, it is  
hereby ORDERED, ADJUDGED, and DECREED that the Plaintiff State of Washington's  
Motion for Protective Order is GRANTED.

HONORABLE SUZANNE PARISIEN

13 | Presented by:

14 ROBERT W. FERGUSON  
15 Attorney General

16       /s/ Daniel L. Allen  
17       ELIZABETH J. ERWIN, WSBA #16548  
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